



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX – SOUTHERN CALIFORNIA FIELD OFFICE
600 Wilshire Blvd, Suite 1460
Los Angeles, CA 90017

NOV 02 2016

Sent Via Certified Mail
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Return Receipt Requested

Mr. Mark Pickrell, President
Western States Packaging, Inc.
13276 Paxton St
Los Angeles, CA 91331

Subject: Information Request under Section 308(a) of the Clean Water Act

Dear Mr. Pickrell:

On behalf of the U.S. Environmental Protection Agency (EPA), I am writing today to request information from Western States Packaging, Inc., regarding storm water management at its facility located at 13276 Paxton Street, Los Angeles, California (Facility). Today's request for information (Information Request) is being directed to you, as the President, pursuant to Section 308(a) of the Clean Water Act (CWA), 33 U.S.C. § 1318(a), which authorizes EPA to require persons subject to the CWA to furnish information, conduct monitoring, provide entry to the Administrator or authorized representatives, and make reports as may be necessary to carry out the objectives of the CWA.

Please submit the information listed in Appendix A within thirty (30) days of receipt of this letter and include with your response the following certification signed by you, your responsible corporate officer, or duly authorized representative:

"I certify under penalty of law that this submission was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of those who manage the system or are directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations under the Clean Water Act and 18 U.S.C. § 1001."

Failure to comply with this Information Request can result in enforcement action for appropriate relief and penalties under Section 309 of the CWA, 33 U.S.C. § 1319. Compliance with this Information Request does not relieve you of your obligation to comply with the CWA or other applicable laws and permits. You cannot withhold from EPA what you consider confidential business information. However, you have the discretion to assert, at the time of submission, a claim of business confidentiality for part or all of the requested information by following the requirements at 40 C.F.R. § 2.203(b). EPA will not disclose any information covered by such a claim except as authorized by 40 C.F.R. Part 2, Subpart B. If no claim of business confidentiality

is received with your submission, EPA may make the information available to the public without further notice to you. All confidentiality claims are subject to EPA verification.

This Information Request is not subject to review by the Office of Management and Budget under the Paperwork Reduction Act because it is directed to fewer than ten persons and is therefore not a "collection of information" under 44 U.S.C. §§ 3502(3). It is also an exempt activity under 44 U.S.C. § 3518(c) and 5 C.F.R. §1320.4.

Lastly, EPA has created a number of resources for small businesses. EPA has established the Small Business Compliance webpage at <https://www.epa.gov/compliance/small-business-compliance> which includes links to other resources as well. We have also enclosed a fact sheet about the Small Business Regulatory Fairness Act to this letter.

Please submit your response to Daniel Haskell via email at haskell.daniel@epa.gov. Alternatively you can submit your response to:

U.S. Environmental Protection Agency, Region 9
Southern California Field Office
Enforcement Division
600 Wilshire Blvd, Suite 1460
Los Angeles, CA 90017
Attention: Daniel Haskell

If you have questions regarding this request, please contact Daniel Haskell at (213) 244-1816 or via email at haskell.daniel@epa.gov. For legal questions, please contact Rebekah Reynolds in our Office of Regional Counsel at (415) 972-3916 or via email at reynolds.rebekah@epa.gov.

Sincerely,



Thanne Berg, Acting Assistant Director
Enforcement Division

Enclosure: Appendix A
Small Business Resources Information Sheet

cc via email (w/encl):

Ejigu Solomon, LA RWQCB
Dinh Nguyen, Quality Assurance Manager

Appendix A
CWA Section 308(a)
Request for Information
Western States Packaging Inc.

Under the authority of Section 308(a) of the Clean Water Act, 33 U.S.C. § 1318(a), the United States Environmental Protection Agency, Region 9 (EPA) requires Western States Packaging Inc. to provide to EPA the information described below ("Request for Information"). This Request for Information in no way alters or relieves you of other legal responsibilities or restrictions imposed on industrial activity at the Facility by federal, state or local law.

DEFINITIONS

The following terms shall have the following definitions for this Request for Information:

1. "Document" means all written, recorded, computer generated, or visually or aurally reproduced materials of any kind in any medium in your possession, custody or control or known by you to exist, including all originals, drafts and non-identical copies. The term includes, without limitation, all reports, studies, surveys, plans, transcripts, permits, licenses, deeds, maps, drawings, schematics, specifications, instructions, calculations, monitoring data, rental records, contacts, agreements, bid documents, purchase orders, work orders, invoices, payment records, spreadsheets, communication records, correspondence, notes, memoranda, photographs, and videos.
2. "Facility" means the facility located at 13276 Paxton Street, Los Angeles, California, owned and/or operated by Western States Packaging Inc.
3. "General Permit" means the State of California's NPDES General Permit for Storm Water Discharges Associated with Industrial Activities, Order No. 2014-0057-DWQ, available at:
http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2014/wqo_2014_0057_dwq_rev_mar2015.pdf

REQUEST FOR INFORMATION

1. Provide a narrative description of the primary industrial activities performed by Western States Packaging, Inc. at its Facility, including a description of the:
 - a) Type and source of all raw materials purchased or otherwise acquired for processing at the facility;
 - b) Industrial process or processes employed; and
 - c) Primary output(s) or product(s) generated.

2. Provide the date on which Western States Packaging, Inc. began industrial activities, as described in response to question #1 above, at its Facility.
3. Provide actual costs (e.g., labor/personnel, consultants, materials, equipment, etc) of Western States Packaging, Inc.'s clean-up of its Facility as described in its June 23, 2016 correspondence.
4. Provide proof of Western States Packaging, Inc.'s Notice of Intent (NOI) coverage under the Permit and include the beginning date of Permit coverage.
5. Provide actual costs (e.g., labor/personnel, consultants, application fees, etc) of preparation of Western States Packaging, Inc.'s Permit application (i.e., notice of intent preparation and submittal).
6. Provide a copy of Western States Packaging, Inc.'s Storm Water Pollution Plan (SWPPP) and include the date of completion of the SWPPP.
7. Provide actual costs (e.g., labor/personnel, consultants, etc.) of preparation of Western States Packaging, Inc.'s SWPPP.
8. Provide an estimate of the costs associated with the establishment of control measures required by the Permit at the Facility, including the *Special Requirements for Plastic Materials* found at Section XVIII (A) of the Permit.
9. Provide the date that such control measures were, or will be, installed and made operational or are otherwise implemented at the Facility.
10. Provide an estimate of the annual cost of such control measures and specify whether the control is a one-time cost or an annual reoccurring cost.
11. Provide a description of the steps that will be taken to operate and/or maintain the control measures described in questions 8, 9, and 10, above, and provide an estimate of the dates in which such operation and maintenance will occur.
12. Provide estimated annual costs (e.g., labor/personnel, consultants, etc.) for Western States Packaging, Inc.'s monitoring and reporting (e.g., routine storm water visual and discharge observations, runoff sampling activities, etc.).
13. Provide an estimate of the cost of one inspection that should be performed in accordance with requirements of the Permit.
14. Prior to obtaining Permit coverage, describe Western States Packaging, Inc.'s efforts to conduct and document inspections of its Facility.

15. Provide the number of employees Western States Packaging, Inc. employs and the type of employees employed at the Facility and at all of its facilities.
16. Explain whether Western States Packaging, Inc. owns or operates other facilities. Provide a description of the operations of any other facilities.
17. Provide the annual sales for the past three years at Western States Packaging, Inc.'s Facility and also provide the annual sales for the past three years at all of Western States Packaging, Inc.'s facilities.



U.S. EPA Small Business Resources Information Sheet

The United States Environmental Protection Agency provides an array of resources to help small businesses understand and comply with federal and state environmental laws. In addition to helping small businesses understand their environmental obligations and improve compliance, these resources will also help such businesses find cost-effective ways to comply through pollution prevention techniques and innovative technologies.

Small Business Programs

www.epa.gov/smallbusiness
EPA's Office of Small Business Programs (OSBP) advocates and fosters opportunities for direct and indirect partnerships, contracts, and sub-agreements for small businesses and socio-economically disadvantaged businesses.

EPA's Asbestos Small Business Ombudsman

www.epa.gov/sbo or 1-800-368-5888
The EPA Asbestos and Small Business Ombudsman (ASBO) serves as a conduit for small businesses to access EPA and facilitates communications between the small business community and the Agency.

EPA's Compliance Assistance Homepage

www2.epa.gov/compliance
This page is a gateway industry and statute-specific environmental resources, from extensive web-based information to hotlines and compliance assistance specialists.

EPA's Compliance Assistance Centers

www.assistancecenters.net
EPA's Compliance Assistance Centers provide information targeted to industries with many small businesses. They were developed in partnership with industry, universities and other federal and state agencies.

Agriculture

www.epa.gov/agriculture/

Automotive Recycling

www.ecarcenter.org

Automotive Service and Repair

ccar-greenlink.org/ or 1-888-GRN-LINK

Chemical Manufacturing

www.chemalliance.org

Construction

www.cicacenter.org or 1-734-995-4911

Education

www.campuserc.org

Food Processing

www.fpeac.org

Healthcare

www.hercenter.org

Local Government

www.lgean.org

Metal Finishing

www.nmfrc.org

Paints and Coatings

www.paintcenter.org

Printing

www.pneac.org

Ports

www.portcompliance.org

Transportation

www.tercenter.org

U.S. Border Compliance and Import/Export Issues

www.bordercenter.org

EPA Hotlines, Helplines and Clearinghouses

www2.epa.gov/home/epa-hotlines

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. Some examples are:

Clean Air Technology Center (CATC) Info-line

www.epa.gov/ttn/catc or 1-919-541-0800

Superfund, TRI, EPCRA, RMP and Oil Information Center

www.epa.gov/superfund/contacts/infocenter/index.htm or 1-800-424-9346

EPA Imported Vehicles and Engines Public Helpline

www.epa.gov/otaq/imports or 734-214-4100

National Pesticide Information Center

www.npic.orst.edu/ or 1-800-858-7378

National Response Center

Hotline to report oil and hazardous substance spills - www.nrc.uscg.mil or 1-800-424-8802

Pollution Prevention Information Clearinghouse (PPIC) -

www.epa.gov/opptintr/ppic or 1-202-566-0799

Safe Drinking Water Hotline -

www.epa.gov/drink/hotline/index.cfm or 1-800-426-4791